

## **Truro Board of Health Minutes**

**Thursday June 14, 2007**

**2:30 pm-Site Visit 9 Francis Road, Truro**

**Members** Dianne Eib, Mark Peters, Tracey Rose,

**Present:** Lucy Brown

**Present:** Pat Pajaron, Karen Snow, Jason Ellis

### **Meeting Convened Dianne Eib convened the meeting at 2:30 p.m.**

Board members Lucy Brown, Tracey Rose, Mark Peters and Dianne Eib met with representative for the owners Jason Ellis, JC Ellis Design, Inc. and abutter Karen Snow to discuss the proposed upgrade of the septic system with variances at 9 Francis Road. Board members observed the area of the proposed leach area as indicated on the site and sewage plan prepared by Mr. Ellis. Further discussion on the proposed variances and the location of the wetland and the abutter well restricts other possibilities for the leach area. Ms. Snow presented to the Board members a list of concerns and requests (see attached) regarding the upgrade (see attached). Some of the concerns were discussed as follows.

1. the applicant is requesting a 25% reduction in the required SAS, GW flow is in a south/southwesterly direction. Ms. Snow has requested that her well be tested for nitrates. The Board discussed annual testing of nitrates and further nitrate analysis on abutting properties will be conducted should this property exceed 5ppm.
2. possible parking of vehicles in the area of the existing septic tank, upgrade from H-10 to H-20 loading. Note #1 on the plan specifically states that any anticipated vehicular traffic H-20 loading rating is required.
3. Bedroom number discrepancy in Building A. Building A consists of 2 bedrooms and is served by a 1978 code Title 5 installed in 1985. There are no floor plans on file for Building A and B since they were constructed in 1945-1946. Building A was permitted as a 2 bedroom dwelling based on the septic plan which states a 2 bedroom septic design. The Board discussed placing a deed restriction limiting the number of bedrooms to five be placed on the property.
4. Reducing the bedroom count. The Board informed Ms. Snow that they cannot order a property owner to reduce the number of bedrooms on a property for an existing dwelling. In new construction, the number of bedrooms and total number of rooms can be regulated under current Title 5 and BOH regulations. The 2 buildings on this lot were built prior to all applicable health, zoning and building codes. The Board can place conditions on a property subject to approval of the variances to Title 5.
5. Consider alternative ways to reduce nitrogen. Because the nitrogen loading limitations apply to systems serving "new construction," if the upgrade does not also include an increase in design flow, i.e. the addition of a bedroom in the case of a house, then enhanced nitrogen removal is not required automatically.

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6. The goal of full or maximum feasible compliance, as stated in Title 5, 310 CMR 15.404, and based on the circumstances of the particular site, the Board may require enhanced nitrogen removal. This property is not located in a Zone II of a PWS. Conditions such as no increases in design flow or square footage of the existing dwellings can be placed on the property. Should the property be converted into a condo form of ownership, the Board can require the owner(s) to have the system inspected annually. Mr. Ellis also informed the Board that the town of Harwich requires floor plans be recorded with the deed restriction.

**Adjournment**

**Dianne Eib** moved to adjourn at 2:50 pm, seconded by **Mark Peters**. **Vote: 4-0, unanimous.**

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**Dianne Eib, Chairman**

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**Lucy Brown, Vice-Chairman**

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**Mark Peters, Clerk**

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**Tracey Rose, Alternate**